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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,915	12/28/2001	Remy Jaeger	Q67731	2805
7590	02/24/2005		EXAMINER	
SUGHURE, MION, ZINN, MACPEAK & SEAS, PLLC Suite 800 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			BARAN, MARY C	
			ART UNIT	PAPER NUMBER
			2857	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/028,915	JAEGER ET AL.	
	Examiner Mary Kate B. Baran	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 December 2001.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 28 December 2001.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because
  - (a) It exceeds 150 words.
  - (b) Page 1 line 11, "in parallel in series" should be – in parallel –.

Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

2. Claims 1-3 are objected to because of the following informalities:
  - (a) Claim 1 page 16 line 2, "including" should be – including: –.
  - (b) Claim 2 page 16 line 1, "claim 1" should be – claim 1, –.
  - (c) Claim 3 page 16 line 1, "claim 2" should be – claim 2, –.
  - (d) Claim 3 page 16 line 7, "in parallel in series" should be – in parallel –.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Vergnaud et al. (U.S. Patent No. 6,715,087) (hereinafter Vergnaud).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Referring to claim 1, Vergnaud teaches a remote power feed device for supplying a remote power feed to a terminal in a telecommunication network, said device including (see Vergnaud, column 1 lines 8-14): a measuring device for determining at least if the remote power feed current is greater than a first threshold current, said remote power feed current being able to assume a value very much greater than said first threshold current (see Vergnaud, column 9 lines 39-51), and said measuring device including a resistive circuit through which said remote power feed current flows and which has a resistance that varies as a function of the current flowing through it, said resistance being lower if said current is very much greater than said first threshold current, and means for comparing the voltage across said resistive circuit with a first threshold voltage (see Vergnaud, column 9 lines 52-67).

Referring to claim 2, Vergnaud teaches a current-measuring device for determining if said remote power feed current is greater than a first threshold current

and for determining if said remote power feed current is greater than a first second threshold current which is higher than said first threshold current (see Vergnaud, column 9 lines 39-51), said current-measuring device including means for comparing the voltage across said resistive circuit with a second threshold voltage and said resistive circuit with a second threshold voltage and said resistive circuit having a resistance being lower if said current is close to said second threshold current than if it is in the vicinity of said first threshold current (see Vergnaud, column 10 lines 1-18).

Referring to claim 3, Vergnaud teaches that said resistive circuit includes a first resistor, a second resistor in parallel with said first resistor and having a lower resistance than said first resistor (see Vergnaud, column 8 line 50 – column 9 line 17), and a switching device (see Vergnaud, Figure 5) for either connecting said first resistor in series in said remote power feed circuit if said switching device detects that said remote power feed current is less than a third threshold current that is between said first and second threshold currents of connecting said second resistor and said first resistor connected in parallel in said remote power feed if said switching device detects that said remote power feed current is greater than said third threshold current (see Vergnaud, column 10 line 49 – column 11 line 12).

Referring to claim 4, Vergnaud teaches a repeater including a remote power feed device as claimed in claim 1 (see Vergnaud, column 8 lines 12-14).

Referring to claim 5, Vergnaud teaches a concentrator including a remote power feed device as claimed in claim 1 (see Vergnaud, column 6 lines 48-53).

***Conclusion***

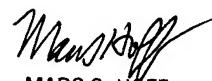
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - (a) Vergnaud teaches a terminal adapted to be powered locally and to receive a remote power feed via a link connecting it to a local area network.
  - (b) Jenneve et al. teach a power feed system for telephone and/or information technology terminals.
  - (c) Erreygers teaches a pair gain system with an ADSL repeater unit.
  - (d) Hiraoka teaches remote power feed method and system.
  - (e) Lehr et al. teach a system for power delivery over data communication cabling infrastructure.
  - (f) Katzenberg et al. teach an apparatus and method for remotely powering access equipment over a 10/100 switched Ethernet network.
  - (g) Douhet et al. teach a system and a protection and remote power-feeding device for equipment connected by two transformers to a four-wire transmission link.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Kate B. Baran whose telephone number is (571)

272-2211. The examiner can normally be reached on Monday - Friday from 9:00 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

21 February 2005

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800